

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KERVIN JEANTY,

Plaintiff,

-against-

BLUE RHINO, et al.,

Defendants.

21-CV-8326 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated October 18, 2021, the Court directed Plaintiff to amend his complaint to cure its deficiencies.¹ (ECF 4.) Plaintiff now requests an extension of time to amend his complaint because he is “having a conflict with [his] liberty.” (ECF 5.) Plaintiff’s letter was mailed from the Orange County Jail, but he has not requested that the Court change his address of record, which is at a private residence.

The Court grants Plaintiff’s request for an extension of time and directs him to amend his complaint, as set forth in the October 18, 2021 order, within 30 days of the date of this order. A change of address request is attached to this order.

¹ This action is one of four that Plaintiff filed the same day. *See also Jeanty v. Bottini Fuel*, ECF 1:21-CV-8316, 2 (S.D.N.Y. filed Oct. 7, 2021) (complaint alleging that Plaintiff was fired for not driving in the snow); *Jeanty v. UPS United Parcel Service Freight*, ECF 1:21-CV-8311, 5 (S.D.N.Y. Dec. 10, 2021) (dismissing complaint asserting claims under Title VII and alleging that Plaintiff was not hired during UPS’s hiring event); *Jeanty v. United Parcel Service*, ECF 1:21-CV-08312, 5 (S.D.N.Y. Dec. 14, 2021) (dismissing complaint alleging that Plaintiff was not hired due to discrimination). Plaintiff also brought earlier actions. *See, e.g., Jeanty v. Precision Pipeline Solutions LLC*, ECF 7:18-CV-7721, 78 (S.D.N.Y. Feb. 24, 2021) (granting summary judgment for employer on Title VII claim); *Jeanty v. Newburgh Beacon Bus Corp.*, 7:17-CV-9175, 30 (S.D.N.Y. Nov. 19, 2018) (granting motion to dismiss employment discrimination claims).

CONCLUSION

Plaintiff's request for an extension of time to amend his complaint is granted. The Court directs Plaintiff to file his amended complaint within 30 days of the date of this order. No summons will issue at this time. If Plaintiff fails to comply within the time allowed, and he cannot show good cause to excuse such failure, the complaint will be dismissed for failure to state a claim upon which relief may be granted.

The Clerk of Court is directed to mail a copy of this order to Plaintiff at his address of record and at the following address: Kervin Jeanty, #2021-01460, Orange County Jail, 100 Wells Farm Road, Goshen, NY 10024. A change of address form is attached to this order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 15, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(List the full name(s) of the plaintiff(s)/petitioner(s).)

____ CV ____ (____)(____)

-against-

NOTICE OF CHANGE OF ADDRESS

(List the full name(s) of the defendant(s)/respondent(s).)

I hereby notify the Court that my address has changed to the following:

Date

Signature

Name (Last, First, MI)

Prison Identification # (if incarcerated)

Address

City

State

Zip Code

Telephone Number

E-mail Address (if available)

PRO SE INTAKE WINDOW LOCATIONS:
40 FOLEY SQUARE | NEW YORK, NY 10007
300 QUARROPAS STREET | WHITE PLAINS, NY 10601

MAILING ADDRESS:
500 PEARL STREET | NEW YORK, NY 10007
PRO SE INTAKE UNIT: 212-805-0136